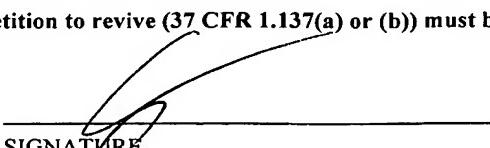


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| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | ATTORNEY'S DOCKET NUMBER MERCK-2989 |
| INTERNATIONAL APPLICATION NO. PCT/EP2003/011165 | | U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/530875 |
| INTERNATIONAL FILING DATE October 9, 2003 | | PRIORITY DATE CLAIMED October 10, 2002 |
| TITLE OF INVENTION BISPECIFIC ANTI-ERB-B ANTIBODIES AND THEIR USE IN TUMOR THERAPY | | |
| APPLICANT(S) FOR DO/EO/US Hans-Georg KREYSCH | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <p>1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).</p> <p>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ul style="list-style-type: none"> a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input checked="" type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). </p> <p>6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ul style="list-style-type: none"> a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). </p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ul style="list-style-type: none"> a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input checked="" type="checkbox"/> have not been made and will not be made. </p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>10. <input type="checkbox"/> English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p> | | |
| Items 11 to 20 below concern document(s) or information included: | | |
| <p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. <input checked="" type="checkbox"/> A preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A power of attorney and/or change of address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input type="checkbox"/> Other items or information:</p> | | |

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|--|--|--|--------------------------|-------------------------------|--|
| U.S. APPLICATION NO. (if known, see CFR 1.5) | | INTERNATIONAL APPLICATION NO. | ATTORNEY'S DOCKET NUMBER | | |
| 10/530875 | | PCT/EP2003/011165 | MERCK-2989 | | |
| The following fees have been submitted | | | | | |
| 21. <input checked="" type="checkbox"/> Basic national fee | | \$300 | CALCULATIONS | PTO USE ONLY | |
| | | \$300.00 | | | |
| 22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) | | \$200.00 | | | |
| All other situations | | \$100 | | | |
| 23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority | | \$200.00 | | | |
| International Search Report prepared and provided to the Office | | \$400 | | | |
| All other situations | | \$500 | | | |
| Total of 21, 22 and 23 = | | | | \$1000.00 | |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof. | | | | | |
| Total Sheets | Extra Sheets | Number of each additional 50 or fraction thereof (round up to a whole number) | RATE | | |
| - 100 | /50 = | | x \$250 | \$ | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)). | | | | \$ | |
| CLAIMS | | NUMBER FILED | NUMBER EXTRA | RATE | |
| Total Claims | | 32- 20 = | 12 | x \$50 | \$600.00 |
| Independent Claims | | 1- 3 = | 0 | X \$200 | \$ |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | | + \$360 | \$ |
| TOTAL OF ABOVE CALCULATIONS = | | | | \$600.00 | |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by ½. | | | | | |
| | | | | SUBTOTAL = | \$1600.00 |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)). | | | | \$ | |
| | | | | + \$ | |
| | | | | TOTAL NATIONAL FEE = | \$1600.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property | | | | \$ | |
| | | | | + \$ | |
| | | | | TOTAL FEES ENCLOSED = | \$1600.00 |
| | | | | Amount to be refunded: | \$ |
| | | | | Amount to be charged: | \$ |
| a. <input checked="" type="checkbox"/> | A check in the amount of <u>\$1600.00</u> to cover the above fees is enclosed. | | | | |
| b. <input type="checkbox"/> | Please charge my Deposit Account No. 13-3402 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. | | | | |
| c. <input checked="" type="checkbox"/> | The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed. | | | | |
| d. <input type="checkbox"/> | Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form Provide credit card information and authorization on PTO-2038. | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status. | | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | |  |
| | | | | | SIGNATURE |
| | | | | | <u>Anthony J. Zelano</u> |
| | | | | | NAME |
| | | | | | <u>27,969</u> |
| | | | | | REGISTRATION NUMBER |
| Filed: MERCK-2989 | | | | | |